

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**STATUS HEARING**

**Case No.: 4:18CR00011**

**Date: 10/17/2019**

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**Defendant:**

4:18-cr-00011-MFU-RSB-1 Marcus Jay Davis  
4:18-cr-00011-MFU-RSB-2 Kevin Lamont Trent, Jr.  
4:18-cr-00011-MFU-RSB-3 Kanas Lamont'e Trent  
4:18-cr-00011-MFU-RSB-4 Deshaun Lamar Trent  
4:18-cr-00011-MFU-RSB-5 Phillip Daekwon Miles  
4:18-cr-00011-MFU-RSB-6 Shabba Larun Chandler  
4:18-cr-00011-MFU-RSB-8 Ashley Tiana Ross  
(bond – excused from appearing)  
4:18-cr-00011-MFU-RSB-10 Tenikqua Fuller (bond-  
excused from appearing)

**Counsel:**

Tony Anderson, Bev Davis  
Aaron Cook, Jimmy Turk  
Bonnie Lepold, Mike Hemenway  
Chris Kowalczyk, Patrick Kenney  
Tyson Daniel, Cary Bowen  
Aaron Houchens, Jeff Dorsey  
Terry Grimes  
  
Corey Diviney

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PRESENT:	JUDGE:	Michael F. Urbanski, CUSDJ
	TIME IN COURT:	2:07-4:15; 4:41-5:09 2h 36m
	Deputy Clerk:	Kristin Ayersman
	Court Reporter:	Judy Webb
	U. S. Attorney:	Heather Carlton, Ron Huber, Michael Newman
	USPO:	Kim Falatic
	Case Agent:	Devin Taylor, FBI TFO Pittsylvania County
	Interpreter:	none

**Status Hearing**

Court addresses parties re filings and emails since yesterday. US updates court/parties re state multi-jurisdictional GJ testimony – transcripts being prepared for those not already transcribed. Court addresses concerns re US and full disclosure, and defense finding/raising transcript issue right after jury sworn. US responds. Court asks for recommendation from US on how to proceed. US believes transcripts could be produced by EOD Tuesday, therefore asking jury reconvene Wednesday. Dft 4 Mr. Kowalczyk/D. Trent responds. Court asks what remedy asking for. Mr. Kowalczyk moves to dismiss all counts against client, Deshaun Trent, with prejudice. Dft 2 Mr. Turk/Kevin Trent responds. Dft 10 Mr. Diviney/T. Fuller responds, moves to dismiss counts as to client. Dft 6 Mr. Houchens/S. Chandler responds, asks that the court dismiss the indictment, joins with D. Trent. Dft 5 Mr. Daniel/P. Miles responds, also asks for dismissal of charges/indictment. Court asks what other remedy the defense may have outside of request for dismissal. Dft 8 Mr. Grimes/A. Ross responds – not prepared to ask for remedy yet,

but wants state subpoena to see when it was issued. Dft 3 Mr. Hemenway/Ms. Lepold/Kanas Trent responds, doesn't have enough information, joins Dft 4 and 6. Court addresses alternatives it has at this point. Dft 1 Mr. Anderson/M. Davis responds, joins other dfts, asks for time for defense to meet and discuss what other remedies could be available to recommend to the court. Court addresses parties as stated, sums current posture of case. Recess 4:15 Reconvene 4:41 Defense reports back to court after discussion – defense cannot decide at this point, asking for all motions to dismiss to be taken under advisement at this point, notes no one objected to this hearing today/jury return Monday, and do not agree to put jury off past Monday. Defense asks court to devise ex parte method for defense to respond to the court if materials disclosed change strategies. US asks for time to be thorough, asks for hearing on Tuesday 10/22/19 to give all parties/court time to review transcripts. Court wants certain transcripts produced by tomorrow, noting court-wide changeover of email. Court asks for transcripts to be delivered tomorrow morning, and will enter order on pending motions from hearing today. At this time, jury returning on Monday morning. Mr. Hemenway asks for sidebar. Adjourn 5:09